

CIVIL RIGHTS TRAINING

Version A

Topics: Public Notification, Complaints and
Non-Discrimination Statements

The Emergency Food Assistance Program
(TEFAP)

Commodity Supplemental Food Program (CSFP)

USDA Household Programs
Child and Adult Nutrition Services
November 2015

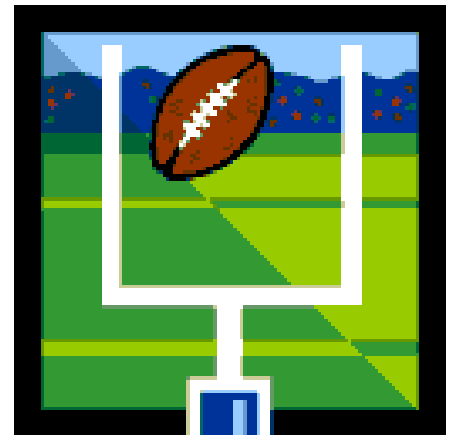


south dakota
DEPARTMENT OF EDUCATION

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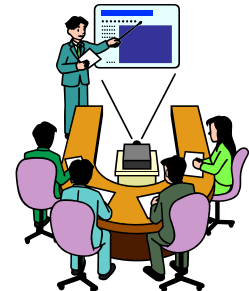
GOALS OF CIVIL RIGHTS

- Equal treatment for all eligible participants
- Knowledge of rights and responsibilities
- Get rid of reasons why people don't take part in a program
- Dignity and respect for all



TRAINING

- Local agencies are responsible for annual training.
- First line workers (including volunteers) require training.
- Training can be done in many ways.
- **You are required to document your training efforts.**



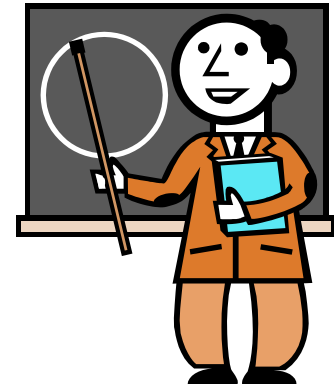
Required Training Documentation

- Name of the training Instructor
- Date training was given
- Topics covered in the training
- Names of all the people being trained
 - Use simple sign-in sheets which all participants sign at the end of the training session
- Keep your sign-in sheets in your files along with a copy of the training.



CIVIL RIGHTS REQUIRED TRAINING TOPICS

- Collection and use of data;
- Effective public notification systems;
- Complaint procedures;
- Compliance review techniques;
- Resolution of noncompliance;
- Reasonable accommodation of people with disabilities;
- Language assistance;
- Conflict resolution; and
- Customer service



Topics Today

- Public Notifications
 - Availability
 - Complaint Information
 - Non-Discrimination
- Complaint procedures
- Non-Discrimination Statements



CIVIL RIGHTS LAWS

- Title VI – Civil Rights Act of 1964 states *No person in the United States shall be discriminated against on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.*
 - Example: Race/color: Treating or speaking to a child differently (using slang for example) or in a friendlier manner because of race or color.



CIVIL RIGHTS LAWS

- The Age Discrimination Act of 1975 provides: *No person in the United States, shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.*



CIVIL RIGHTS LAWS

- Title IX of the Education Amendments of 1972 states: *No person in the United States shall, on the basis sex (gender), be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.*
 - Example: You shouldn't offer smaller portions to women compared to men. The same size portion should be offered to each.



CIVIL RIGHTS LAWS

- Section 504 of the Rehabilitation Act of 1973 added disability to Title VI.
- Title II and Title III of the Americans with Disabilities Act of 1990 extended the requirements to all services, programs and activities of State and local governments and prohibits discrimination based on disability in other public services.

WHAT IS A PROTECTED CLASS?

- Any person or group of people who have characteristics for which discrimination is prohibited based on a law, regulation, or executive order.
- Protected classes in TEFAP & CSFP are race, color, national origin, age, sex, and disability.



2004 “Equal Opportunity for Religious Organizations”

- Laws protect Faith-Based Organizations
- Church and community organizations are treated the same
- Prohibits discrimination against an organization on the basis of religion, religious belief or character in the distribution of funds
- Any faith organization can use space in their building without removing religious art or symbols

Law Protects People

- No organization that receives direct assistance from the USDA can discriminate against a participant or potential participant on the basis of religion or religious belief.
- Faith-based organizations can do their mission, as long as USDA funds (or activities) do not support worship, religious instruction or pressuring people to take their beliefs.

ASSURANCES

- Help to clarify expectations
- Intended to help stop discrimination against applicants and participants
- Intended to prevent future discrimination
- Help address effects of past discrimination

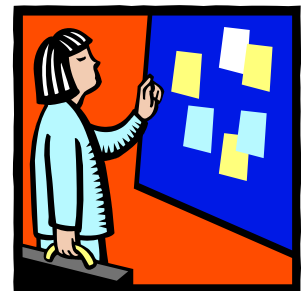


PUBLIC NOTIFICATION



1. Program Availability

- Display the “And Justice for All” poster.
- Tell applicants, participants, potentially eligible persons, and grassroots organizations of program rights and responsibilities or changes in programs.
- Provide information in other formats for persons with disabilities.
- Other languages available.



POSTERS



Federal Relay Services
www.gsa.gov/fedrelay

PUBLIC NOTIFICATION

2. Complaint Information

Let applicants and participants at your site know their right

- to file a complaint
- how to file a complaint
- the complaint procedures



Complaints

- ✓ Bases complaints may be filed:
 - ✓ Race
 - ✓ Color
 - ✓ National origin
 - ✓ Age
 - ✓ Sex
 - ✓ Disability
- ✓ Never discourage anyone from filing complaints or from telling about situation of discrimination access form at http://www.ascr.usda.gov/complaint_filing_cust.html
- ✓ Know where to file a complaint - U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410; Fax (202) 690-7442 or Email: program.intake@usda.gov
- ✓ Send complaint letter to USDA and Child & Adult Nutrition Services office

What to do if a complaint is made:

- Immediately let the Child & Adult Nutrition Services office know
- Provide form for written complaints
 - Written complaints will be accepted and forwarded upon receipt.
- Take detailed notes of complaints
 - If someone is complaining in a telephone conversation and refuses or is not putting it in writing, the staff person on the call will need to write up the details of the complaint. These complaints will be accepted and forwarded immediately upon receipt.



Information needed:

- Who is complaining
 - Name
 - Address
 - Telephone number
- Where it happened
 - What agency
 - What address
- What happened
- Basis for the claim
 - Race
 - Age
 - Disability, etc.
- Name of anyone who saw or heard what happened
- When it happened
 - Date
 - Time



PUBLIC NOTIFICATION

3. Nondiscrimination Statement

- Nondiscrimination statement is required on all agency publications, posters, Web sites, and informational materials. The Website must at a minimum have the nondiscrimination statement or a link to it on the home page.
- Must show the message of equal opportunity in all photos and other graphics that are used in publications.
- Make sure font size of the non-discrimination statement is the same size font as the rest of the information in the publication.

NON-DISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) Fax: (202) 690-7442; or (3) Email: program.intake@usda.gov.

This institution is an equal opportunity provider.

NON-DISCRIMINATION STATEMENT (Short Version)

“This institution is an equal opportunity provider”

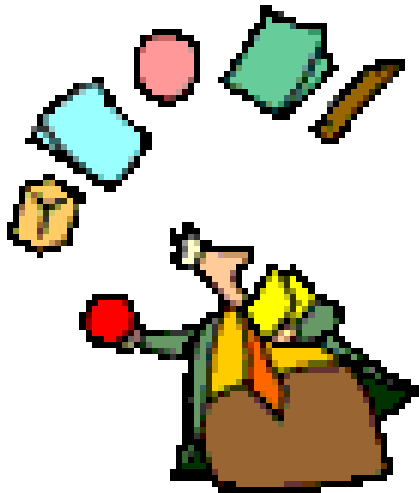
CUSTOMER SERVICE

PLATINUM RULE

“Treat others the way they want to be treated
(or at least be aware of what that is).”



Questions?



Civil Rights Training Test A

- Complete the Civil Rights Training Test A
- Check answers
- Retain completed training test in administrative records for 3 years past current year
- Include copy of training and instructor name in the records
- Complete Civil Rights training annually

RESOURCES

- <http://doe.sd.gov/cans/index.aspx>
- MPRO SP 01-2016 (DR) 4300-003 Equal Opportunity Public Notification Policy
- <http://www.fns.usda.gov/civil-rights>
- http://www.fns.usda.gov/cr/LEP_entry.htm
- <http://www.ascr.usda.gov/>
- <https://www.ascr.usda.gov/filing-discrimination-complaint-usda-customer>
- <http://www.fns.usda.gov/cr/Documents/113-1.pdf>

Training created by Julie McCord, South Dakota
Department of Education, Child and Adult Nutrition
Services 11_19_15